

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Keith Eugene Washington,

Civil No. 17-5054 (DWF/SER)

Petitioner,

v.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

Michelle Smith,

Respondent.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Steven E. Rau dated June 29, 2018. (Doc. No. 16.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

**ORDER**

1. Magistrate Judge Steven E. Rau's June 29, 2018 Report and Recommendation (Doc. No. [16]) is **ADOPTED**.
2. Keith Eugene Washington's Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody (Doc. No. [1]) is **DENIED**.
3. This case is **DISMISSED WITH PREJUDICE**.

4. No certificate of appealability is issued.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: July 17, 2018

s/Donovan W. Frank  
DONOVAN W. FRANK  
United States District Judge